

Appl. No. : 10/041,936
Inventor : Lane et al.
Filed : January 7, 2002
TC/AU : 2857
Examiner : Desta, Ella

Confirmation No. 4911

Docket No. : 11061-36469
Customer No. : 26702

File only

September 5, 2003

Via Facsimile
703-872-9318

Mail Stop Fee Response/Amendment
Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

RESPONSE

Sir:

A petition for a one-month extension of time and form PTO-2038 authorizing the charge of the appropriate fee of \$110 is included herewith.

In view of the restriction requirement set forth in the Office Action of July 16, 2003, Applicant has identified three groupings of claims believed to represent the three patentably

07/12/2004 AJOHNSO11061-36469-001619 identified in the Office Action. These claim groupings comprise:

01 FC:1251

110.00 OP

Group I: claims 1-17, 51-63, and 89-97.

Group II: claims 18-34, 64-76, and 98-106.

Group III: claims 35-50, 77-88, and 107-114.

Appl. No. 10/041,936
Resp. dated September 5, 2003

In response to the restriction requirement set forth in the Office Action, Applicant hereby elects to pursue claims of **Group III, including claims 35-50, 77-88, and 107-114**. Applicant requests examination of these claims and Applicant withdraws the other claims not elected herein. Two divisional patent applications are being filed concurrently herewith containing the withdrawn claims. One divisional application contains the claims of Group I and the other divisional application contains the claims of Group II.

Applicant submits that currently pending claims are allowable over the references of record and stand in condition for allowance. In view of the foregoing, Applicant respectfully requests the passing of the present application to issue.

Respectfully submitted,

Morris, Manning & Martin, LLP

Chad D. Tillman

Chad D. Tillman
Reg. No. 38,634
Tel.: (704) 554-5032

**MORRIS, MANNING & MARTIN, LLP**
ATTORNEYS AT LAW**FACSIMILE
TRANSMISSION
FORM**1600 Atlanta Financial Center
3343 Peachtree Road, N.E.
Atlanta, Georgia 30326

Facsimile Number: 404-365-9532

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TO: U.S. Patent and Trademark Office**NAME:** Elias Desta, Patent Examiner**DATE & TIME:** 05/24/04**CONFIRMATION:** 571.272.2214**PAGES TO FOLLOW:** 10**FAX NUMBER:** 571.273.2214**FROM:** Morris, Manning & Martin, LLP**CHARGE TO:****NAME:** John R. Harris**CLIENT/MATTER:** 11061-36469**PHONE:** (404) 233-7000**CONFIRMATION TIME:**_____:_____:_____
HR MIN SEC**COMMENTS:**

Re: Application No. 10/041,936

Examiner Desta:

Attached please find a copy of the Response for the above-captioned application which was filed via facsimile transmission on September 5, 2003, and resent to you via facsimile transmission on February 19, 2004.

Kindly contact me to discuss this matter at your earliest convenience.

Regard,
John R. Harris

IF YOU HAVE ANY DIFFICULTY WITH THIS TRANSMISSION, PLEASE CALL (404) 233-7000

Morris, Manning & Martin, L.L.P.
ATTORNEYS AT LAW

6000 Fairview Rd., Suite 1125
Charlotte, North Carolina 28210

Sending Facsimile 704-556-9554

FACSIMILE TRANSMISSION SHEET

DATE: February 19, 2004

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Elias Desta, Patent Examiner FAX NUMBER: 571 273 2214
COMPANY: U.S. Patent and Trademark Office TELEPHONE: 571 272-2214

FILE NUMBER: APP. SER. NO. 10/041,936 TOTAL PAGES (Including This One): 8
FROM: BRIAN D. MACDONALD, Reg. No. 54,288
DIRECT DIAL: 704 554 5043

COMMENTS:

Dear Mr. Desta,

As we discussed by telephone on Feb. 18, 2003, an "Office Communication" was mailed on July 16, 2003, regarding the above-referenced patent application. We transmitted a "Submission" including a "Response" on Sep. 5, 2003, by facsimile transmission and received an Auto-Reply Facsimile Transmission from the Office. We appreciate that you called to inform us that our Sep. 5 "Submission" may not have entered the application. We therefore are transmitting again our "Submission" of Sep. 5, 2003.

This correspondence includes (8 pages): this Facsimile Transmission Sheet (1 page); our "Submission" of Sep. 5, 2003 (6 pages); the Auto-Reply Facsimile Transmission dated Sep. 5, 2003 (1 page). Our "Submission" (6 pages) includes: a Facsimile Transmission Sheet (1 page); a PTO/SB/21 Transmittal Form (1 page); a PTO/SB/22 Petition for Extension of Time for one month (1 page); a PTO-2038 Credit Card Payment Form authorizing \$110 (1 page); and the "Response" (2 pages).

Brian D. MacDonald

I hereby certify that this correspondence is being facsimile transmitted on Feb. 19, 2004, to the USPTO to 571 273 2214 as indicated to me as proper by the above-referenced Patent Examiner in a telephone conversation that occurred on Feb. 18, 2004 between myself and the Examiner.

BRIAN D. MACDONALD, Reg. No. 54,288 Signature: *Brian D. MacDonald* FEB. 19, 2004

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May-24-2004 09:37am From-

T-581 P.003/010 F-615

*** TRANSMISSION REPORT ***

PRINT TIME 02/19 '04 11:49 ID:MORRIS_MANNING_&_MARTIN_ FAX:7045561811

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TIMER=--:--

FILE START	MODE	LOCATION	STORE	TX/RX	TOTAL	CODE
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667 02/19 11:47 TX	ADF	15712732214	0	8/ 0	02'11"	OK

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Auto-Reply Facsimile Transmission



UNITED STATES
PATENT AND
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TO:

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Fax Information

Date Received:

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FILE No. 917 09/05 '03 17:22 ID: MORRIS, MANNING & MARTIN FAX: 7045561811

PAGE 1/ 6

Morris, Manning & Martin, L.L.P.
ATTORNEYS AT LAW

6000 Fairview Rd., Suite 1125
Charlotte, North Carolina 28210

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FACSIMILE TRANSMISSION SHEETDATE: September 5, 2003

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Examiner Elia DocaFAX NUMBER: 703-873-9318COMPANY: USPTO Art Unit 1857

TELEPHONE:

FILE NUMBER: 11061-36469TOTAL PAGES (including this one): 6FROM: Chad D. TilkmanDIRECT DIAL: 704-554-6932

COMMENTS:

RE: US Patent Application No. 10/041,936

I hereby certify that the following was transmitted to the USPTO by facsimile to the above number on the above date with reference to the above patent application. The total number of pages is correctly shown above.

Chad D. Tilkman
Chad D. Tilkman
US Reg. 38,634

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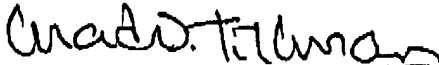
NAME: Examiner Ella Desta FAX NUMBER: 703-872-9318
COMPANY: USPTO Art Unit 2857 TELEPHONE: _____

FILE NUMBER: 11061-36469 TOTAL PAGES (Including This One): 6
FROM: Chad D. Tillman
DIRECT DIAL: 704-554-5032

COMMENTS:

RE: US Patent Application No. 10/041,936

I hereby certify that the following was transmitted to the USPTO by facsimile to the above number on the above date with reference to the above patent application. The total number of pages is correctly shown above.


Chad D. Tillman
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PTO/SB/21 (08-03)

Approved for use through 08/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/041,936	
	Filing Date	January 7, 2002	
	First Named Inventor	George Lane et al.	
	Art Unit	2857	
	Examiner Name	Ella Desta	
Total Number of Pages in This Submission	6	Attorney Docket Number	11081-36469

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input checked="" type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance communication to Technology Center (TC) <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Form PTO-2038 authorizing \$110 extension of time fee
<div style="border: 1px solid black; padding: 2px;">Remarks</div>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Morris, Manning & Martin, LLP Chad D. Tillman (38,634)
Signature	<i>Chad D. Tillman</i>
Date	September 5, 2003

CERTIFICATE OF TRANSMISSION/MAILING	
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Typed or printed name	Chad D. Tillman
Signature	<i>Chad D. Tillman</i>
Date	Sept. 5, 2003

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450, DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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